38. (*1*) No person shall, within any of the limits described in section 36, transport or possess salt exceeding one maund in weight, unless the same : Possession of salt exceeding one maund in weight prohibited within the said limits except under a permit, etc.

(*a*) is being removed under a permit obtained under section 28 ; or

(*b*) is stored or possessed for the purpose of sale under a license granted under the last preceding section ; or

(*c*) has been legally imported, from a foreign port or place, at some port or place within the said limits and is covered by a certificate signed by a customs-officer of the payment of the import-duty leviable thereon ; or

(*d*) is covered by a special permit granted under the power next hereinafter conferred.

(2) The Collector or Deputy or Assistant Collector or any salt-revenue-officer empowered in this behalf may grant to such persons, as they shall think fit, special permits authorizing them to be possessed of salt exceeding one maund in weight for their private consumption within or for conveyance out of any of the said limits.

CHAPTER VII.

Powers of Salt-revenue-Officers.

39. Any salt-revenue-officer empowered in this behalf may : Power of salt-revenue-officers:

(*a*) enter, at any time by day or by night, any land, building, enclosed place or premises upon or in or from which he has reason to believe that : to enter any place where illicit manufacture of salt is suspected to be going on ;

(*i*) salt is being manufactured, excavated, collected or removed without a license granted under this Act ; or

(*ii*) there is a natural formation of salt ; or

(*iii*) contraband salt is stored or concealed ;

(*b*) in the case of resistance, break open any door and remove any other obstacle to his entry upon or into such land, building, enclosed place or premises ; to overcome resistance ;

(*c*) take possession of, or destroy any salt so manufactured, excavated, collected or formed, and any work, apparatus, implement, utensil, or material constructed or employed for the purpose of such manufacture, excavation, collection or removal, or of utilizing the salt so formed contrary to any of the provisions of this Act or of any rule made hereunder ; to take possession of or destroy salt illicitly manufactured ;

to enter and inspect salt-works and stores or vessels laden with salt;

(*d*) enter and inspect, at any time by day or night, any salt-work or any building, enclosed place, or premises used for storing salt, or any vessel laden with, or which is being laden with, or which it is intended to load with, salt;

to detain and search any person, animal, etc., for contraband salt;

(*e*) detain and search any person, animal, vessel, conveyance, goods or package upon or in whom or which he shall have reason to believe that there is contraband salt;

to seize contraband salt, etc.;

(*f*) seize in any open place, or in transit, any article which he has reason to believe to be contraband salt and any package or covering in which such article is found and the other contents, if any, of such package or covering in which the same is found and any animal, vessel or conveyance used or intended to be used in carrying the same;

to detain, search and arrest any offender against this Act.

(*g*) detain and search and, if he think proper, arrest any person whom he has reason to believe to be guilty of any offence punishable under this or any other law for the time being in force relating to salt-revenue, or in whose possession contraband salt is found.

Searches and arrests how to be made.

40. All searches and arrests under the last preceding section shall be carried out in accordance with the provisions of the [1] Code of Criminal Procedure, 1882, relating, respectively, to searches and arrests made under that Code. X of 1882.

Officers of certain departments bound—

to give information concerning offences punishable under this Act; and to prevent such offences;

to assist salt-revenue-officers.

41. It shall be incumbent on every village-officer and on every officer of the departments of Police, Customs, Opium, Abkárí, Forests and Revenue—

(*a*) to communicate to some salt-revenue-officer, not lower in rank than a sarkárkún or a daroga, any information which he receives of a design to commit or of the commission of any offence punishable under this Act;

(*b*) to interpose for the purpose of preventing and to prevent, by the use of all reasonable means within his power, the commission of any such offence;

(*c*) on receipt of notice or of a request from any salt-revenue-officer, to assist such officer in carrying out any of the provisions of this Act.

Issue of search-warrants.

42. (*1*) Any Commissioner, or Collector, or other salt-revenue-officer empowered in this behalf, and any Magistrate, may issue a warrant for the search, whether by day or by night, of any building, vessel or place in which he has reason to believe that contraband salt is kept or concealed.

[1] *See* now the Code of Criminal Procedure, 1893 (Act 5 of 1898), General Acts, Vol. V.

(2) Every warrant issued under this section shall be executed in accordance with the provisions of the [1]Code of Criminal Procedure, 1882, relating to search-warrants, by a police-officer or by a salt-revenue-officer empowered in this behalf, or, if the officer issuing the warrant deems fit, by any other person.

X of 1882.

43. (*1*) Any officer who makes a search under this Act, or who examines any salt or salt-earth for any of the purposes of this Act, or of any rule made under this Act, may require the person who has the immediate possession or control of any animal, vessel, conveyance, goods or package which he desires to search, or of any salt or salt-earth which he desires to examine, without delay and in such manner as he thinks fit to direct—

Person in possession of articles which are to be searched or examined, bound to unpack and weigh the same.

(*a*) to unload, unpack or open, any such animal, vessel, conveyance, goods or package ; and

(*b*) to weigh any such salt or salt-earth ; or

(*c*) before or after such search, examination or weighing is completed, to remove any such animal, conveyance, goods or packages beyond the limits of any wharf, landing-place or preventive station, or to deposit any such goods or package until further orders at any spot indicated by such officer within such limits.

(2) If the said person shall fail to comply with any such requirement the officer aforesaid may cause the animal, vessel, conveyance, goods or package to be unloaded, unpacked, opened, removed or deposited or the salt or salt-earth to be weighed in the manner which he requires, and the cost of so doing shall be recoverable by the said officer from the said person.

44. Every person arrested under section 39 shall be forwarded without delay to the nearest salt-revenue-officer empowered to send persons so arrested to a Magistrate, or, if there be no such salt-revenue-officer within a reasonable distance, to the officer in charge of the nearest police-station.

Disposal of person arrested.

45. The officer in charge of a police-station to whom any person is forwarded under the last preceding section, or who receives, direct, any complaint or information of the commission of an offence punishable under this Act, shall inquire into and deal with the case under the provisions of the [1]Code of Criminal Procedure, 1882, relating to cognizable cases.

X of 1882.

Procedure to be followed by officer in charge of a police station in cases of offences punishable under this Act.

[1] *See* now the Code of Criminal Procedure, 1898 (Act 5 of 1898), General Acts, Vol. V.

Inquiry how to be made by salt-revenue-officers against arrested persons forwarded to them under section 41.

46. (*1*) When any person is forwarded under section 44 to a salt-revenue-officer empowered to send persons so arrested to a Magistrate, the said salt-revenue-officer may detain such person and shall proceed to inquire into the charge against him.

(*2*) For this purpose the said salt-revenue-officer may exercise the like powers and shall be subject to the same provisions as the officer in charge of a police-station may exercise and be subject to, under the [1] Code of Criminal Procedure, 1882, when investigating a cognizable case : X of 1882.

(*3*) Provided that :

(*a*) if the said salt-revenue-officer shall be of opinion that there is sufficient evidence or reasonable ground of suspicion against the accused person, he shall forward him to a Magistrate having power to take cognizance of the offence ;

(*b*) if it appears to the said salt-revenue-officer that there is not sufficient evidence or reasonable ground as aforesaid, he shall release the accused on his executing a bond, with or without sureties as such salt-revenue-officer may direct, to appear, if and when so required, before a Magistrate having power as aforesaid, and make a full report of all the particulars of the case to his official superior and be guided by the order which he shall receive upon such report.

CHAPTER VIII.

PENALTIES.

For illicit manufacture of salt, etc.

47. Whoever, in contravention of this Act, or of any rule or order made under this Act, or of any license or permit obtained under this Act,—

(*a*) manufactures, removes or transports salt ; or

(*b*) excavates, collects or removes natural salt, or salt-earth ;

and whoever,

(*c*) except in the exercise of some power or the discharge of some duty conferred or imposed upon him under this Act or any other enactment at the time in force, receives [2][or is in possession of] or, without lawful excuse, retains contraband salt, knowing or having reason to believe the same to be contraband salt ;

shall for every such offence be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to six months, or with both.

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[1] *See* now the Code of Criminal Procedure, 1898 (5 of 1898), General Acts Vol. V.

[2] These words were inserted by s. 27 of Bom. Act 1 of 1901, Vol. IV of this Code.